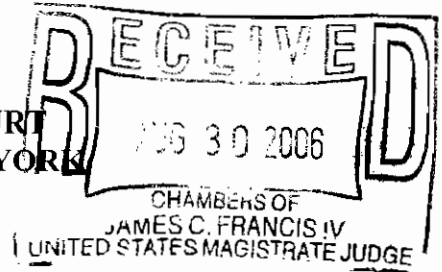


IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK



In re Rivastigmine Patent Litigation

1:05-MD-1661 (HB)(JCF)

This document relates to:

All Actions

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #:
DATE FILED: 8/31/06

Case Nos. 05-cv-7820-HB
05-cv-2234-HB
05-cv-2235-HB
04-cv-6045-HB

STIPULATION AND ORDER

WHEREAS, Defendants Sun Pharmaceutical Industries, Ltd. ("Sun"), Watson Pharmaceuticals, Inc., and Watson Laboratories, Inc. ("Watson") (collectively "Defendants") filed motions to compel production of documents withheld on claims of attorney-client privilege and/or work product immunity by Plaintiffs Novartis Pharmaceuticals Corporation, Novartis AG, Novartis Pharma AG, Novartis International Pharmaceutical Ltd., and Proterra AG (collectively, "Plaintiffs");

WHEREAS, on August 8, 2006, the Court rendered a decision on those motions ("the August 8 Order");

WHEREAS, the August 8 Order categorizes the documents in dispute into four categories, including the "category four documents";

WHEREAS, the August 8 Order requires the parties to submit a stipulation with respect to the category four documents; and

WHEREAS, the Plaintiffs have reconsidered their privilege claims and Defendants have reconsidered their objections;

NOW, THEREFORE, IT IS HEREBY STIPULATED AND AGREED by and between the undersigned counsel for Plaintiffs and Defendants:

1. As to the following documents, Plaintiffs will produce them and there is thus no longer any dispute with respect to them (except as noted in parentheses):

Privileged Document Numbers: 52, 54, 60, 64, 65, 79, 199, 300, 302, 307, 308, 311, 433, 565 (plaintiffs will produce handwritten annotations only; defendants still dispute the privilege claim on the remainder of the document), 615, 624, 627, 958, 966, 973, 974, 976-96, and 998-1003.

2. As to the following documents, they are subject to the August 8 Order on Swiss law and were therefore ordered produced, but will be subject to Plaintiffs' motion for reconsideration; accordingly, these documents require no further action by Magistrate Judge Francis at this time:

Privileged Document Numbers: 104, 118, 298, 630, 828, 842-44, 970, and 997.

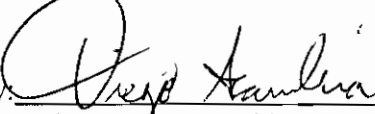
3. As to the following documents, Plaintiffs' claims of privilege have been upheld, and Defendants withdraw their objections:

Privileged Document Numbers: 25, 26, 43, 45, 73, 97, 154, 305, 312, 314, 354, 408, 409, 443, 535, 553, 845, and 959.

4. As to the following documents, Defendants withdraw their objections:

Privilege Document Numbers: 23, 36, 38, and 41.


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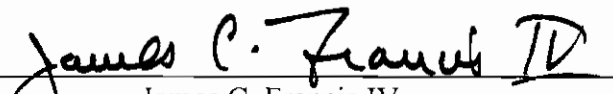
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SO ORDERED

This 31st day of August, 2006



James C. Francis IV
United States Magistrate Judge